

SUPERIOR COURT OF ARIZONA IN AND FOR THE COUNTY OF COCHISE  
COURTHOUSE AT 100 QUALITY HILL, P.O. BOX CK  
BISBEE, AZ 85603  
(520)432-8600

FILED

2018 OCT 17 AM 8:00

Roger Contreras  
Name of Petitioner/Plaintiff

Case Number: DO200901390

ORDER REGARDING DEFERRAL OR WAIVER  
OF COURT FEES AND COSTS AND  
NOTICE REGARDING CONSENT JUDGMENT

Nancy Bourke  
Name of Respondent/Defendant

THE COURT FINDS that the applicant (print name) Nancy Bourke

1. ☐ IS NOT ELIGIBLE FOR A DEFERRAL of fees and costs.  
OR
2. ☒ IS ELIGIBLE FOR A DEFERRAL of fees and costs based on financial eligibility. As required by state law, the applicant has signed a consent to entry of judgment.  
OR
3. ☐ IS ELIGIBLE FOR A DEFERRAL of fees and costs at the court's discretion (A.R.S. § 12-302(L)).  
OR
4. ☐ IS ELIGIBLE FOR A DEFERRAL of fees and costs based on good cause shown. As required by state law, the applicant has signed a consent to entry of judgment.  
OR
5. ☐ IS ELIGIBLE FOR A WAIVER of fees and costs because the applicant is permanently unable to pay.  
OR
6. ☐ IS ELIGIBLE FOR A WAIVER of fees and costs at the court's discretion (A.R.S. § 12-302(L)).  
OR
7. ☒ IS NOT ELIGIBLE FOR A WAIVER of fees and costs.

IT IS ORDERED:

- ☐ DEFERRAL IS DENIED for the following reason(s):

the application is incomplete because \_\_\_\_\_

you are encouraged to submit a complete application.

the applicant does not meet the financial criteria for deferral because \_\_\_\_\_

deferral MUST BE granted if the applicant is receiving public assistance benefits from the Temporary Assistance to Needy Families (TANF) program or Food Stamps; has an income that is insufficient or barely sufficient to meet the daily essentials of life and that includes no allotment that could be budgeted to pay the fees and costs necessary to gain access to the court; or, if the applicant demonstrates other good cause.

- ☒ DEFERRAL IS GRANTED for the following fees and costs in this court:

- ☒ Any or all filing fees; fees for the issuance of either a summons and subpoena; or fees for obtaining one certified copy of a temporary order in a domestic relations case or a final order, judgment or decree in all civil proceedings.
- ☒ Fees for service of process by a sheriff, marshal, constable or law enforcement agency.
- ☐ Fees for service by publication.
- ☐ Filing fees and photocopy fees for the preparation of the record on appeal.
- ☒ Court reporter or transcriber fees if employed by the court for the preparation of the transcript.
- ☐ Parent Education Class

IF A DEFERRAL IS GRANTED, PLEASE CHECK ONE OF THE FOLLOWING BOXES:

☒ NO PAYMENTS WILL BE DUE UNTIL FURTHER NOTICE.

☐ SCHEDULE OF PAYMENTS.

The applicant shall pay \$ \_\_\_\_\_ each \_\_\_\_\_ (week, month etc.) until paid in full, beginning \_\_\_\_\_.

☒ WAIVER IS DENIED for all fees and costs in this case.

☐ WAIVER IS GRANTED for all fees and costs in this case that may be waived under A.R.S. § 12-302(H).

- ☐ Any or all filing fees; fees for the issuance of either a summons or subpoena; or fees for obtaining one certified copy of a temporary order in a domestic relations case or a final order, judgment or decree in all civil proceedings.
- ☐ Fees for service of process by a sheriff, marshal, constable or law enforcement agency.
- ☐ Fees for service by publication.
- ☐ Filing fees and photocopy fees for the preparation of the record on appeal.
- ☐ Court reporter or transcriber fees if employed by the court for the preparation of the transcript.
- ☐ Parent Education Class

**RIGHT TO JUDICIAL REVIEW.** If the application is denied or a payment schedule is set by a special commissioner, you may request the decision be reviewed by a judicial officer. The request must be made within twenty (20) days of the day the order was mailed or delivered to you. If a schedule of payments has been established, payments shall be suspended until a decision is made after judicial review. Judicial review shall be held as soon as reasonably possible.

**NOTICE REGARDING CONSENT JUDGMENT.** Unless any of the following applies, a consent judgment may be entered against the applicant for all fees and costs that are deferred and remain unpaid thirty (30) days after entry of final judgment:

- A. Fees and costs are taxed to another party;
- B. The applicant has an established schedule of payments in effect and is current with those payments;
- C. The applicant filed a supplemental application for waiver or further deferral of fees and costs and a decision by the court is pending;
- D. In response to a supplemental application, the court orders that the fees and costs be waived or further deferred; or
- E. Within twenty (20) days of the date the court denies the supplemental application, the applicant either:
  - 1. Pays the fees and costs; or,
  - 2. Requests a hearing on the court's order denying further deferral or waiver. If the applicant requests a hearing, the court cannot enter the consent judgment unless a hearing is held, further deferral or waiver is denied, and payment has not been made within the time prescribed by the court.

If an appeal is taken, a consent judgment for deferred fees and costs that remain unpaid in the lower court shall not be entered until thirty (30) days after the appeals process is concluded. The procedures for notice of court fees and costs and for entry of a consent judgment continue to apply.

If a consent judgment is signed and the applicant pays the fees and costs in full, the court is required to comply with the provisions of A.R.S. § 33-964(C).

**DUTY TO REPORT CHANGE IN FINANCIAL CIRCUMSTANCES.** An applicant who is granted a deferral or waiver shall promptly notify the court of any change in financial circumstances during the pendency of the case that would affect the applicant's ability to pay court fees and costs. Any time the applicant appears before the court on this case, the court may inquire as to the applicant's financial circumstances.

DATED: 10/10/18

☒ Judicial Officer

☐ Special Commissioner

COUNTY OF COCHISE  
STATE OF ARIZONA

The foregoing instrument is a full, true and correct copy of the original on file in the office.

Attested October 18th, 2018  
MARY ELLEN DUNLAP, Clerk

By Jennifer Arango Deputy